

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RICHARD JOHNSTON,

Plaintiff,

v.

MARTIN NAUGHTON,

Defendant.

Case No. 3:22-cv-00083-RCJ-CSD

ORDER

I. DISCUSSION

On February 11, 2022, the Clerk's Office opened this case after receiving Plaintiff's motion for preliminary injunction (ECF No. 1-1) and motion for appointment of expert witness (ECF No. 1-2). Plaintiff did not submit a complaint and did not file an application to proceed *in forma pauperis* or pay the filing fee in the instant case. (ECF No. 1).

It appears that the Clerk's Office may have opened the instant case in error. On February 10, 2022, the Clerk's Office received a complaint from Plaintiff and opened *Johnston v. Naughton*, 3:22-cv-00080-MMD-CSD ("*Johnston I*"). The next day, the Clerk's Office received the motion for preliminary injunction and motion for appointment of expert witness, which did not contain any cases numbers, and opened the instant case. However, the Court finds that those two documents were more likely than not part of Plaintiff's *Johnston I* case.

The Court now directs the Clerk of the Court to administratively close the instant case and refile the motion for preliminary injunction and motion for appointment of expert witness into *Johnston I*.

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It is therefore ordered that the Clerk of the Court administratively close this case and refile the motion for preliminary injunction (ECF No. 1-1) and motion for appointment of expert witness (ECF No. 1-2) in *Johnston v. Naughton*, 3:22-cv-00080-MMD-CSD.

DATED THIS 17th day of February 2022.


UNITED STATES DISTRICT JUDGE